

Congress of the United States
Washington, DC 20515

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WCB
Connect
America
USF COF

May 15, 2015

Chairman Tom Wheeler
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler,

Access to broadband is a critical and necessary resource for all Americans to do business, communicate with family and friends, learn, and find out what is happening in the world on issues that impact them directly. Unfortunately, when it comes to broadband access, tribal communities have been disproportionately left behind. According to the Federal Communication Commission's (FCC) most recent broadband progress report, nearly two-thirds of residents on tribal lands lack access to high-speed broadband. In your April 17 blog post and before the Senate Commerce Committee, you expressed that it is the FCC's intention to reform the universal service mechanism that supports rate-of-return carriers' deployment and maintenance of broadband service. This offers the Commission a unique opportunity to correct the gap in service to Tribal lands and is why we urge you to strengthen your consultation with tribes and communications providers serving these areas by truly engaging them so they can inform your decision on how reform can promote greater access to broadband.

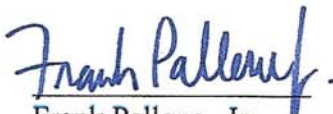
In this regard, it is our understanding that on April 17, the FCC met with a number of stakeholders representing rate-of-return carriers and urged them to develop a consensus reform plan for the Universal Service Fund (USF) by May 17th. While the FCC did not include tribal stakeholders in that initial outreach, we understand they have since been engaged. While the delay in outreach concerns us, we know you are committed to tribal engagement and securing access to broadband for tribal lands. We urge you seek broader and deeper input from the tribal community in a timely manner.

We invite you to inform us and tribal stakeholders further on what the FCC is doing to ensure that those living on tribal lands have a seat at the table through consultation and how the FCC's efforts related to rate-of-return carriers will expand access to broadband on tribal lands.

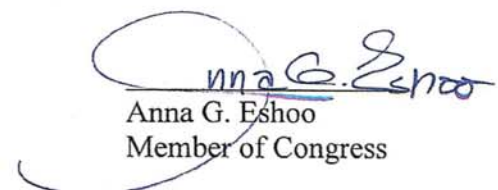
Sincerely,



Ben Ray Luján
Member of Congress

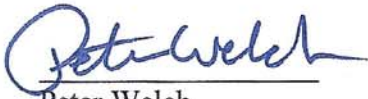


Frank Pallone, Jr.
Member of Congress

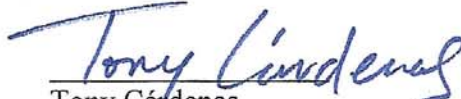


Anna G. Eshoo
Member of Congress

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Peter Welch
Member of Congress



Tony Cárdenas
Member of Congress



Suzan K. DelBene
Member of Congress



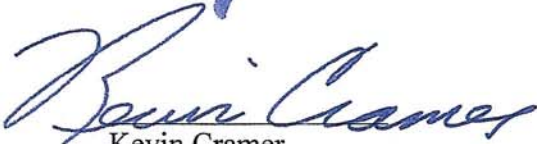
Don Young
Member of Congress



John A. Yarmuth
Member of Congress



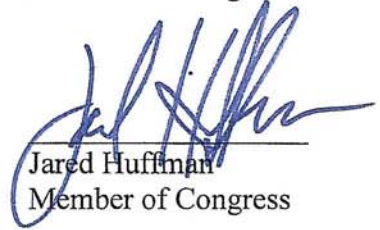
Tom Cole
Member of Congress



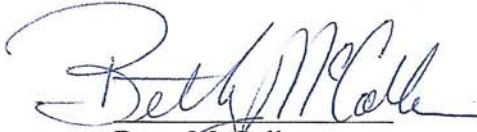
Kevin Cramer
Member of Congress



Derek Kilmer
Member of Congress



Jared Huffman
Member of Congress



Betty McCollum
Member of Congress



Gwen Moore
Member of Congress

Cc: Commissioner Migon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Rielly



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 27, 2015

The Honorable Don Young
U.S. House of Representatives
2314 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Young:

Thank you for your letter urging the Commission to reform our Universal Service Fund ("USF") mechanisms to support broadband deployment to tribal communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses on tribal lands and in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the 21st century economy. I share your goal of ensuring that the universal service program better reflects today's marketplace and technology in areas served by rate-of-return carriers.

The Commission is strongly committed to working with Tribal Nations through meaningful and vigorous efforts on a regular basis. We are also committed to ensuring that Tribal concerns are appropriately considered and addressed as part of the Commission's broader efforts to improve broadband deployment throughout the United States. As we move forward in 2015, the Commission plans to continue to engage and consult with Tribal Nations and others in Indian Country on long-term reform of rate-of-return support.

As you note, I stated at the Senate Commerce Committee's FCC Oversight Hearing earlier this year that resolving the issue of reforming USF mechanisms for areas served by rate of return carriers will require all the stakeholders to work together and make hard decisions to reach consensus on the best path forward. Everybody agrees that the goal of any changes should be supporting broadband in rural areas. With that in mind, I directed my staff and staff members from the Commission's Wireline Bureau to meet with stakeholders in the rate-of-return community. Commission staff has also engaged with tribal stakeholders regarding these issues.

We have encouraged all stakeholders in the rate-of-return community to work together to develop an approach that both has the widespread support of the rate-of-return community and meets the principles unanimously outlined by the Commission in our April 2014 *Further Notice of Proposed Rulemaking*. To this end, on April 28, 2015, FCC staff initiated consultative outreach with the National Tribal Telecommunications Association ("NTTA"), the association representing Tribally-owned and operated rate-of-return carriers. Additionally, on June 9th, NTTA met with my office and each of my fellow Commissioners' offices, the Wireline Bureau, and the Consumer and Governmental Affairs Bureau's Office of Native Affairs and Policy to discuss alternatives to both model-based and non-model based proposals for rate-of-return reform. In those meetings, NTTA committed to submitting its own proposal. On June 19th,

Page 2—The Honorable Don Young

NTTA filed a proposal regarding a Tribal Broadband Factor for all rate-of-return carriers serving Tribal lands. NTTA's filing has been included in the record of the proceeding and is under staff review.

I recognize the substantial time, effort, and resources that have been invested in this effort to date by stakeholders in the rate-of-return community, and I am committed to finding a path forward by the end of the year. But it is important to have a solution – or set of solutions – that creates the right incentives to deploy modern networks throughout rural America, including tribal lands, meets the Commission's overarching policy objectives, and has the widespread support of the rate-of-return community.

I look forward to working with you to make continued progress on the deployment of broadband to consumers on tribal lands a reality.

Sincerely,

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 27, 2015

The Honorable John Yarmuth
U.S. House of Representatives
435 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Yarmuth:

Thank you for your letter urging the Commission to reform our Universal Service Fund ("USF") mechanisms to support broadband deployment to tribal communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses on tribal lands and in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the 21st century economy. I share your goal of ensuring that the universal service program better reflects today's marketplace and technology in areas served by rate-of-return carriers.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 27, 2015

The Honorable Peter Welch
U.S. House of Representatives
2303 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Welch:

Thank you for your letter urging the Commission to reform our Universal Service Fund ("USF") mechanisms to support broadband deployment to tribal communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses on tribal lands and in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the 21st century economy. I share your goal of ensuring that the universal service program better reflects today's marketplace and technology in areas served by rate-of-return carriers.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 27, 2015

The Honorable Frank Pallone
U.S. House of Representatives
237 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Pallone:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 27, 2015

The Honorable Gwen Moore
U.S. House of Representatives
2245 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Moore:

Thank you for your letter urging the Commission to reform our Universal Service Fund ("USF") mechanisms to support broadband deployment to tribal communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses on tribal lands and in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the 21st century economy. I share your goal of ensuring that the universal service program better reflects today's marketplace and technology in areas served by rate-of-return carriers.

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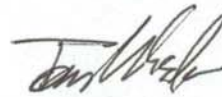
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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 27, 2015

The Honorable Betty McCollum
U.S. House of Representatives
1714 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman McCollum:

Thank you for your letter urging the Commission to reform our Universal Service Fund ("USF") mechanisms to support broadband deployment to tribal communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses on tribal lands and in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the 21st century economy. I share your goal of ensuring that the universal service program better reflects today's marketplace and technology in areas served by rate-of-return carriers.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 27, 2015

The Honorable Ben Ray Luján
U.S. House of Representatives
2446 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Luján:

Thank you for your letter urging the Commission to reform our Universal Service Fund ("USF") mechanisms to support broadband deployment to tribal communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses on tribal lands and in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the 21st century economy. I share your goal of ensuring that the universal service program better reflects today's marketplace and technology in areas served by rate-of-return carriers.

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